

PROB 12C
(7/93)

Report Date: August 10, 2011

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AUG 19 2011

JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Francisco Samaniego

Case Number: 2:09CR02068-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Date of Original Sentence: 3/3/2010

Original Offense: Possession of a Firearm and Ammunition by a Prohibited Person,
18 U.S.C. § 922(g)(1)Original Sentence: Prison - 24 Months; Type of Supervision: Supervised Release
TSR - 36 Months

Asst. U.S. Attorney: James Goeke Date Supervision Commenced: 4/8/2011

Defense Attorney: Federal Defender's Office Date Supervision Expires: 4/7/2014

PETITIONING THE COURT

To issue a warrant and to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on August 3, 2011.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

6 **Special Condition # 17:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Mr. Samaniego was suspended from intensive outpatient drug and alcohol treatment at Merit Resource Services (Merit) on August 4, 2011.

On August 8, 2011, this officer received a letter from Merit indicating Mr. Samaniego was suspended from drug and alcohol treatment, due to his failure to provide self-help group attendance, relapse, and unsatisfactory response to treatment.

7 **Special Condition # 18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Prob12C

Re: Samaniego, Francisco

August 10, 2011

Page 2

Supporting Evidence: Mr. Samaniego tested presumptive positive for methamphetamine and marijuana on August 9, 2011.

On August 9, 2011, a counselor from Merit called and reported Mr. Samaniego submitted a presumptive positive drug test for methamphetamine and marijuana. The counselor stated the defendant was confronted on his illegal drug use, to which he adamantly denied using any illegal substance. The specimen was sent to Alere Toxicology Services, Incorporated for confirmation.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/10/2011

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Other

Signature of Judicial Officer

8/19/11

Date